



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,290	11/16/2001	Michael Schittenhelm	P2000,0282	7060

7590 11/20/2002
LERNER AND GREENBERG, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480

EXAMINER

NGUYEN, TUNG X

ART UNIT	PAPER NUMBER
----------	--------------

2829

DATE MAILED: 11/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/992,290

Applicant(s)

SCHITTENHELM, MICHAEL

Examiner

Tung X Nguyen

Art Unit

2829

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whetsel (u.s.p. 6,326,801), in view of Krivy et al. (u.s.p 6,239,590).

As to claim 1, Whetsel discloses a calibration steps for a test system comprising: providing a test substrate having mutually separated connecting contact points (1, 16, and 8, 9, and so on) for a probe (WV); having mutually separated further connecting contact points for reference (WG); having conductor tracks each connecting between one of connecting contact points and the further connecting contact points (Col. 6, lines 25-40); Whetsel does not disclose placing a probe of a probe card connecting contact point, and calibrating the test system. However, Krivy et al. disclose in Fig. 7, a probe of a probe card (42) on a connecting contact point (Col. 7, lines 10-15), and calibrating the test system for calibrating the location of the probe card on connecting contact points. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system of Whetsel, and provide a probe of a probe card and calibrating the test system, as taught by Krivy et al., in order to calibrate the location of the probe card for contacting the connecting contact points.

Art Unit: 2829

As to claim 2, Krivy et al., disclose in Fig. 7, the steps which comprising: placing the test substrate into a holder (via 62), indexing the test substrate (via 86), and connect the probes of the probe card to the connecting contact points (Col. 7, lines 10- 15).

As to claim 3, 4, Krivy et al., disclose in Fig. 7, the steps wherein indexing step comprising moving the holder together with the test substrate, and onward (via 86).

3. Claims 5, 6,7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whetsel (u.s.p. 6,326,801).

As to claim 7, Whetsel discloses in Fig. 15a, a test substrate for calibrating a test system for semiconductor components, comprising: a plurality of connecting contact points connects in pairs (1, 8, and 16, 9 and so on), and the contact points of the pairs (1, 8, and 16, 9 and so on) being disposed at mutually different distances from one another, and a plurality of conductor tracks (Col. 6, lines 25-40) connecting between pairs of contact points. Whetsel does not disclose the tracks are equal length. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to choose appropriate range of conductor tracks, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Aller*, 105 USPQ 233.

The method is considered inherent in the structure.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Whitten et al. (u.s.p 6,476,630) Method for testing signal paths between an integrated circuit wafer and a wafer tester.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung X Nguyen whose telephone number is (703) 305-3337. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on (703)-308-1233. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5841 for regular communications and (703) 308-5841 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

TN
November 7, 2002


KAMAND CUNEO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800